

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR C-I-P PATENT APPLICATION**



As a below named inventor, I hereby declare that.

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled APPARATUS AND METHOD FOR TRANSMITTING INFORMATION FROM SIGNAGE TO PORTABLE COMPUTING DEVICE, AND SYSTEM UTILIZING SAME

_____, the specification of which

☐ attached hereto. ☒ was filed on December 1, 2000

as Application No. 09/728,599

and was amended on _____
(if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Filed (Day/Mo./Yr.)	Status (Patented/Pending/Abandoned)
09/593,612	June 13, 2000	Pending

I hereby appoint the practitioners associated with the firm and Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to the address associated with that Customer Number:

FITZPATRICK, CELLA, HARPER & SCINTO
Customer Number: 05514

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon..

Full Name of Sole or First Inventor LOUIS SPITZER

Inventor's signature

Date 2/5/01 Citizen/Subject of U.S.A.

Residence 208 Carroll Street #4, Brooklyn, New York 11231

Post Office Address Same as Residence

Applicant or Patentee: LOUIS SPITZER

Application or Patent No.: 09/728,599

Filed or Issued: December 1, 2000

Attorney's

Docket No.: 2702.100 CIP

For: APPARATUS AND METHOD FOR TRANSMITTING INFORMATION FROM SIGNAGE TO PORTABLE COMPUTING DEVICE, AND SYSTEM UTILIZING SAME

STATEMENT CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN

I hereby state that I am

☐

the owner of the small business concern identified below:

☒

an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Streetbeam, Inc.

ADDRESS OF 589 Eighth Avenue 11th Floor

New York, NY 10018

I hereby state that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled APPARATUS AND METHOD FOR TRANSMITTING INFORMATION FROM SIGNAGE TO PORTABLE COMPUTING DEVICE, AND SYSTEM UTILIZING SAME

by inventor(s) Louis Spitzer
described in

☐

the specification filed herewith

☒

application no. 09/728,599, filed December 1, 2000

☐

patent no. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate statements are required from each named person, concern or organization having rights to the invention as to their status as small entities. (37 CFR 1.27)

NAME Streetbeam, Inc.

ADDRESS 589 Eighth Avenue 11th Floor, New York, NY 10018

☐

INDIVIDUAL

☒

SMALL BUSINESS CONCERN

☐

NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐

INDIVIDUAL

☐

SMALL BUSINESS CONCERN

☐

NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING LOUIS SPITZER

TITLE OF PERSON OTHER THAN OWNER Secretary

ADDRESS OF PERSON SIGNING 208 Carroll Street #4, Brooklyn, NY 11231

SIGNATURE _____

DATE 1/26/01